



Attorney Docket No. 3399P061

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Paul A. Smethers

Serial No.: 09/940,265

Filing Date: August 27, 2001

For: GRAPHICAL USER INTERFACE
FEATURES OF A BROWSER IN A
HAND-HELD WIRELESS
COMMUNICATION DEVICE

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner: Appiah, Charles Nana

Group Art Unit: 2686

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on
August 26, 2004

(Date of Deposit)

Julie Arango

(Printed name)

Julie Arango 8/26/04
(Signature) (Date)

RESPONSE TO FINAL OFFICE ACTION UNDER 37 C.F.R. § 1.116

Dear Sir:

In response to the Final Office Action mailed on July 23, 2004, please reconsider
the present application in view of the following remarks:

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SEP 02 2004

Improper Finality of Office Action

Technology Center 2600

The present Office Action was made final because, according to the Examiner, "Applicant's amendment necessitated the new ground(s) of rejection." Office Action, p. 5. That is not true, however. Although Applicant made minor amendments to certain claims in Applicant's response filed on May 14, 2004, Applicant made it clear that those amendments were not made in response to the cited art, nor were they necessary in view of the cited art. See p. 12, second paragraph of that response. Furthermore, it is clear from the amendments themselves and from Applicant's remarks about the cited